

APPLICANTS: Gen Jorgensen, et al.  
U.S.S.N.: 09/728,327

a set of conduits for connecting said supply module, said cell module and said processing module in a sterile manner;

several valves constructed and arranged to control transfer of said biological cells and said process chemicals between said modules;

several sensors constructed and arranged to detect said biological cells and said process chemicals; and

a control module operatively connected to said valves, said sensors and said processing module, said control module being constructed and arranged to receive data from said cell sensor and control said transfer and said processing of said biological cells based on said cell sensor data;

wherein said modules are constructed and arranged to prevent unwanted contamination of said cells during said processing.

10. (Amended) The system of claim 9 wherein said cell sensor includes a weight sensor constructed and arranged to weigh said supplied amount of said biological cells.

11. (Amended) The system of claim 9 wherein said cell sensor includes a volume sensor constructed and arranged to measure volume of said supplied amount of said biological cells.

12. (Amended) The system of claim 9 wherein said control module is further arranged to calculate amounts of said process chemicals based on said cell sensor data.

13. (Amended) The system of claim 9 wherein said control module is further arranged to select an algorithm for said processing based on said cell sensor data.

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14. (Amended) The system of claim 9 wherein said supply module includes several containers constructed and arranged to hold said process chemicals at least some of them being in a liquid state.

15. (Amended) The system of claim 9 wherein said process chemicals include an enzyme solution.

16. (Amended) The system of claim 9 wherein said process chemicals include a saline solution.

17. (Amended) The system of claim 9 wherein said processing module includes a processing vessel constructed and arranged to vary its volume relative to a volume of said process chemicals and said cells transferred to said vessel for processing.

18. (Amended) The system of claim 9 wherein said processing module includes a centrifuge.

19. (Amended) The system of claim 18 wherein said centrifuge is constructed and arranged to vary its volume by receiving a filling fluid arranged to occupy a selected volume.

20. (Amended) The system of claim 19 wherein said filling fluid is an expressor fluid designed to selectively express said process chemicals or said cells during centrifugation.

21. (Amended) The system of claim 9 wherein said processing module is constructed to agitate heat, cool or mix said processing chemicals and said cells.

22. (Amended) The system of claim 9 wherein said sensors include an optical sensor.

23. (Amended) The system of claim 9 wherein said sensors include a pressure sensor.

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24. (Amended) The system of claim 9 wherein said sensors include a mass flow meter.

25. (Amended) The system of claim 9 wherein said sensors include a temperature sensor.

26. (Amended) The system of claim 25 wherein said temperature sensor includes a infrared sensor constructed and arranged to measure a temperature of said cells and said process chemicals inside said processing module.

27. (Amended) The system of claim 9 further including a pump constructed and arranged to advance said material from said supply module to said processing module in said conduits.

28. (Amended) The system of claim 9 wherein said supply module further includes at least one supply sensor constructed and arranged to measure the amount of at least one of said process chemicals transferred to said processing module.

29. (Amended) The system of claim 28 wherein said supply sensor includes a mass sensor.

30. (Amended) A method of operating a cell processing system comprising a control module, a processing module connected in a sterile manner by a set of conduits to a cell module and to a supply module that provides selected process chemicals, and several sensors providing process data to said control module, said method including:

providing in said cell module biological cells;

measuring an amount of said cells supplied to said processing module for processing;

providing in said supply module process chemicals according to a processing algorithm;

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dispensing from said supply module said process chemicals to said processing module based on said measure amount of said cells;  
processing said cells in said processing module; and  
storing said processed cell, whereby preventing unwanted contamination of said cells during said dispensing and said processing.

#### REMARKS

The Office Action has been thoroughly reviewed. Claims 9-32 are pending. Claims 33-34 have been canceled without prejudice and disclaimer of subject matter in view of these claims being drawn to a non-elected invention. Claims 9-30, have been amended, and claim 9 and 30 are independent. Applicants respectfully request reconsideration of the claimed invention in view of the following remarks which address each point of raised by the Examiner in the Action.

#### Drawing Objections

From PTO 948 indicates that the drawings have been objected to for the reasons rejected thereon. Specifically, Fig. 3 was rejected to for an improper top margin, Fig. 8A was objected to for non-uniform lines, non-legible reference characters, and improper legends. Accordingly, Applicants submit herein a Request For Approval of Drawing Changes submitting new drawings with the requested changes.

Accordingly, Applicants submit that the requirements pursuant to 37 CFR § 1.84 and § 1.152 have all been met.

#### Rejection Under 35 U.S.C. §112, Second Paragraph

Claims 9-32 were rejected under 35 U.S.C. §112, second paragraph, as being allegedly being indefinite for the reasons cited in the Action on pages 2 and 3. Specifically, the Action indicates that the use of the term "interactive" in claim 9, "controlling" in claim 30, and "IR" in claim 26, render all the pending claims unpatentable under §112. While not acknowledging the